IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI DEVINDER GUPTA,THE CHIEF JUSTICE

and
THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1708 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 07/09/2004 in WP NO : 15942 OF 2004 on the file of the High Court.)

Between:

N.V. Subba Rao S/o Venkata Subbaiah, aged about 45 years,Person-in-Charge, Kovvur Gram Panchayat, Kandukur Mandal, Prakasam District.

..... APPELLANT

AND

1 The Divisional Panchayat Officer, Kandukur, Prakasam District
2 The District Panchayat Officer, Ongole, Prakasam District

.....RESPONDENT(S)

Counsel for the Appellant:MR.MADALA NARSINGA RAO

Counsel for the Respondent Nos. 1 and 2: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following Oral Judgment : (Per Sri Devinder Gupta, CJ)

Appellant's writ petition was dismissed by the learned single judge. Appeal is against the said order. Appellant, in the writ petition, had questioned the notice dated 30.8.2004 issued by the Divisional Panchayat Officer, Kandukur, Prakasam District intimating of his visit to the village concerned to conduct enquiry on the allegations as regards Village Administration.

Appellant's submission is that the Divisional Panchayat Officer, Kandukur has no jurisdiction to conduct any enquiry or to initiate any action against the appellant-writ petitioner who is Person-in-charge of the concerned Panchayat.

Learned single judge dismissed the writ petition on the ground that there is nothing wrong in the 1st respondent conducting public enquiry on certain allegations as regards village administration.

No action had been initiated against the appellant. Only when as a result of the report of enquiry, action is initiated by the respondents against the appellant, appellant can seek redressal against such action by challenging the same in accordance with law.

Therefore, we, find no force in the submission of the learned counsel for the appellant that order of learned single judge deserves interference in-as-much-as enquiry itself is without jurisdiction. The order of the learned single judge is well

reasoned since there is remedy available to the appellant, if, in case, any action is taken against him ultimately after issuing show cause notice to challenge the same.

The writ appeal is accordingly dismissed. No costs.

DEVINDER GUPTA, CJ

Date: 8th November, 2004

C.V.RAMULU,J

pnb

To

1 The Divisional Panchayat Officer, Kandukur, Prakasam District.
2 The District Panchayat Officer, Ongole, Prakasam District.

3 Two C.Cs. to the Government Pleader for Panchayat Raj & Rural Development, High Court Buildings, Hyderabad. (OUT)

4 Two C.D. copies